

**Representative Colin W. Jack** proposes the following substitute bill:

**ELECTRICAL POWER DELIVERY QUALITY AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Colin W. Jack**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill creates the Electrical Power Delivery Quality Act.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ grants rulemaking authority to the Public Service Commission (commission);
- ▶ requires certain electric utility companies to prepare an electrical power delivery quality plan;
- ▶ grants rulemaking authority to the commission;
- ▶ creates a reporting requirement for the commission to report to the Public Utilities Energy and Technology Interim Committee;
- ▶ makes changes to the state energy policy; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 AMENDS:

27 **79-6-301**, as last amended by Laws of Utah 2021, Chapter 383 and renumbered and  
28 amended by Laws of Utah 2021, Chapter 280

29 ENACTS:

30 **54-25-101**, Utah Code Annotated 1953

31 **54-25-102**, Utah Code Annotated 1953

32 **54-25-201**, Utah Code Annotated 1953



34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **54-25-101** is enacted to read:

36 **CHAPTER 25. ELECTRICAL POWER DELIVERY QUALITY ACT**

37 **Part 1. General Provisions**

38 **54-25-101. Definitions.**

39 As used in this chapter:

40 (1) "Electrical power delivery quality" means the suitability of power delivered to  
41 customers as measured in comparison to accepted industry standards on voltage and power  
42 quality.

43 (2) "Electrical power delivery quality plan" means a plan submitted to the commission  
44 in accordance with the requirements of this chapter.

45 (3) "Interconnection request" means a request from a utility-scale energy generation  
46 system to a qualified utility's transmission line.

47 (4) "Qualified utility" means the same as that term is defined in Section **54-17-801**.

48 (5) "Utility-scale energy generation system" means an electric generation facility that  
49 has a generating capacity of more than two megawatts and is intermittent, non-dispatchable, or  
50 controlled by an inverter.

51 Section 2. Section **54-25-102** is enacted to read:

52 **54-25-102. Commission rulemaking authority.**

53 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
54 commission shall make rules to implement this chapter, including:

55 (a) rules establishing the submission of an electrical power delivery quality plan;

56 (b) rules establishing procedures for the review of an electrical power delivery quality

57 plan;

58 (c) rules establishing the procedures for the review of the implementation of an  
59 electrical power delivery quality plan; and

60 (d) any other rules that the commission determines are necessary to protect the public  
61 interest and implement this chapter.

62 (2) In establishing the procedures and rules described in Subsection (1), the  
63 commission shall consult with:

64 (a) qualified utilities;

65 (b) utility-scale electricity providers; and

66 (c) other state agencies.

67 Section 3. Section **54-25-201** is enacted to read:

68 **Part 2. Electrical Power Delivery Quality Plan**

69 **54-25-201. Electrical power delivery quality plan for a qualified utility.**

70 (1) A qualified utility shall:

71 (a) prepare an electrical power delivery quality plan in accordance with the  
72 requirements of this chapter; and

73 (b) submit the electrical power delivery quality plan to the commission.

74 (2) An electrical power delivery quality plan under Subsection (1) shall include:

75 (a) a description of the procedures and standards that the qualified utility will use to  
76 assess an interconnection request to:

77 (i) decrease the risk that the interconnected utility-scale generation facility will  
78 adversely affect the electrical power delivery quality to other customers on the qualified utility  
79 lines; and

80 (ii) address adverse effects to the electrical power service quality caused by  
81 interconnected customer-owned generation systems that are discovered after the time of  
82 interconnection;

83 (b) a description of the equipment that the qualified utility will use to perform the  
84 assessment described in Subsection (2)(a); and

85 (c) a description of proposed modifications or upgrades to facilities and preventative  
86 programs that the qualified utility will implement to address any electrical power delivery  
87 quality issues that do not meet the qualified utility's interconnections policy or relevant national

88 standards.

89 (3) (a) The commission may only approve an electrical power delivery quality plan that  
90 meets the requirements of Subsection (2).

91 (b) If the commission does not approve a proposed electrical power delivery quality  
92 plan, the commission shall:

93 (i) notify the qualified utility that the proposed electrical power delivery quality plan  
94 was not approved; and

95 (ii) provide specific recommendations to the qualified utility about changes needed for  
96 approval of the proposed electrical power delivery quality plan.

97 (4) On or before October 31, 2023, and before October 31 of each year after 2023, the  
98 commission shall report to the Public Utilities, Energy, and Technology Interim Committee  
99 regarding a qualified utility's compliance with the qualified utility's electrical power delivery  
100 quality plan.

101 Section 4. Section **79-6-301** is amended to read:

102 **79-6-301. State energy policy.**

103 (1) It is the policy of the state that:

104 (a) Utah shall have adequate, reliable, affordable, sustainable, and clean energy  
105 resources;

106 (b) Utah [~~will~~] shall promote the development of:

107 (i) nonrenewable energy resources, including natural gas, coal, oil, oil shale, and oil  
108 sands;

109 (ii) renewable energy resources, including geothermal, solar, wind, biomass, biofuel,  
110 and hydroelectric;

111 (iii) nuclear power generation technologies certified for use by the United States  
112 Nuclear Regulatory Commission including molten salt reactors producing medical isotopes;

113 (iv) alternative transportation fuels and technologies;

114 (v) infrastructure to facilitate energy development, diversified modes of transportation,  
115 greater access to domestic and international markets for Utah's resources, and advanced  
116 transmission systems;

117 (vi) energy storage, pumped storage, and other advanced energy systems, including  
118 hydrogen from all sources;

119 (vii) electricity systems that can be controlled at the request of grid operators to meet  
120 system load demands, to ensure an adequate supply of dispatchable energy generation  
121 resources;

122 (viii) electricity systems that are stable and capable of serving load without accelerating  
123 damage to customer equipment; and

124 [~~viii~~] (ix) increased refinery capacity;

125 (c) Utah [~~will~~] shall promote the development of resources and infrastructure sufficient  
126 to meet the state's growing demand, while contributing to the regional and national energy  
127 supply, thus reducing dependence on international energy sources;

128 (d) Utah [~~will~~] shall promote the development of resources, tools, and infrastructure to  
129 enhance the state's ability to:

130 (i) respond effectively to significant disruptions to the state's energy generation, energy  
131 delivery systems, or fuel supplies; and

132 (ii) maintain adequate supply, including reserves of proven and cost-effective  
133 dispatchable electricity reserves to meet grid demand;

134 (e) Utah [~~will~~] shall allow market forces to drive prudent use of energy resources,  
135 although incentives and other methods may be used to ensure the state's optimal development  
136 and use of energy resources in the short- and long-term;

137 (f) Utah [~~will~~] shall pursue energy conservation, energy efficiency, and environmental  
138 quality;

139 (g) (i) state regulatory processes should be streamlined to balance economic costs with  
140 the level of review necessary to ensure protection of the state's various interests; and

141 (ii) where federal action is required, Utah will encourage expedited federal action and  
142 will collaborate with federal agencies to expedite review;

143 (h) Utah [~~will~~] shall maintain an environment that provides for stable consumer prices  
144 that are as low as possible while providing producers and suppliers a fair return on investment,  
145 recognizing that:

146 (i) economic prosperity is linked to the availability, reliability, and affordability of  
147 consumer energy supplies; and

148 (ii) investment will occur only when adequate financial returns can be realized; and

149 (i) Utah [~~will~~] shall promote training and education programs focused on developing a

150 comprehensive understanding of energy, including:

151 (i) programs addressing:

152 (A) energy conservation;

153 (B) energy efficiency;

154 (C) supply and demand; and

155 (D) energy related workforce development; and

156 (ii) energy education programs in grades K-12.

157 (2) State agencies are encouraged to conduct agency activities consistent with

158 Subsection (1).

159 (3) A person may not file suit to challenge a state agency's action that is inconsistent

160 with Subsection (1).